

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

1519 SOUTH 2nd AVENUE,  
YAKIMA, WASHINGTON TOGETHER  
WITH ALL APPURTENANCES,  
FIXTURES, ATTACHMENTS, AND  
IMPROVEMENTS THERETO AND  
THEREUPON,

Defendant.

No. CV-06-3015-EFS

**ORDER GRANTING PLAINTIFF'S  
MOTION FOR SUMMARY JUDGMENT**

BEFORE THE COURT, without oral argument, is Plaintiff United States of America's Motion for Summary Judgment (Ct. Rec. 27). After reviewing the submitted material and relevant authority, the Court is fully informed and grants Plaintiff's Motion for Summary Judgment. The Court finds the Government has established that the property at issue is subject to forfeiture and Claimant has not put forward evidence demonstrating a defense to forfeiture.

1 In a plea agreement signed on September 8, 2005, in case CR-05-2062-  
2 FVS, Marisol Jimenez-Mejia agreed to

3 voluntarily relinquish all right, title and interest in the  
4 following property in favor of the United States pursuant to  
5 21 U.S.C. § 881(a)(6) and (7), as property used to commit or  
6 facilitate a violation(s) of 21 U.S.C. § 841(a)(1) and/or as  
7 property purchased with proceeds traceable to such offense(s),  
8 and hereby agrees to execute any and all forms and pleadings  
9 necessary to effectuate such forfeiture of the property more  
10 specifically described as follows:

11 a. Real property known as 1519 South Second Avenue,  
12 Yakima, Washington . . .

13 (Ct. Rec. 29-2 at 8). In the instant case, the following individuals  
14 signed a Stipulation for Order of Forfeiture: Assistant United States  
15 Attorney Jane Kirk; Robert Chavez, Attorney for Marisol Jimenez-Mejia;  
16 Antonio Salazar, Attorney for Marisol Jimenez-Mejia; Marisol Jimenez-  
17 Mejia; George Paul Trejo, Attorney for Miriam Cabrera-Garcia; Miriam  
18 Cabrera-Garcia; Arturo Hernandez-M, Attorney for Jesus Jimenez-Mejia;  
19 Georgia Trejo-Locher, Attorney for Jesus Jimenez-Mejia; and Jesus  
20 Jimenez-Mejia (Ct. Rec. 3). The stipulation concluded that this Court  
21 has jurisdiction, venue is proper, 1519 South 2nd Avenue, Yakima,  
22 Washington is the property to be forfeited, and the stipulation listed  
23 the criminal cases and the plea agreements that subjected the property  
24 to forfeiture.

25 Despite the plea agreement and the stipulation, Claimant Marisol  
26 Jimenez filed an answer to the verified complaint listing nine  
affirmative defenses. However, Claimant has not filed any documents in  
response to the Government's Motion for Summary Judgment. At no point  
in this case has Claimant filed any documents supporting the claims and  
defenses listed in Claimant's answer or disputing the facts as portrayed

1 in the Government's verified complaint (Ct. Rec. 1) and the Government's  
2 Motion for Summary Judgment (Ct. Rec. 27).

3 Based on the signed plea agreement and the Stipulation for Order of  
4 Forfeiture, this Court finds good cause to grant the Government's Motion  
5 for Summary Judgment.

6 Accordingly, **IT IS HEREBY ORDERED:** the Government's Motion for  
7 Summary Judgment (**Ct. Rec. 27**) is **GRANTED**.

8 **IT IS SO ORDERED.** The District Court Executive is directed to:

- 9 (a) enter this Order;  
10 (b) enter Judgment in favor of the Government;  
11 (c) close this file; and  
12 (d) provide copies to all counsel.

13 **DATED** this 13<sup>th</sup> day of April 2007.

14  
15 s/ Edward F. Shea  
16 EDWARD F. SHEA  
United States District Judge

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